

REMARKS

1. In an Advisory Action mailed September 7, 2005, the Examiner maintains his rejection of claims 1, 4-8, 10, 12-14, 23, 25-28 and 34 under 35 U.S.C. § 102(e) as being anticipated by Chan et al. (U.S. Patent No. 6,870,807). The Examiner makes the following assertions: (1) The PBX disclosed in Chan is an Intelligent Network Node because it is in a network and has the intelligence to determine offending time slots and to filter out music; and (2) Chan provides for an alternative method in which music suppression can be performed by filtering out the music energy from the subject time slot. The Applicants respectfully disagree with this view, and request that the Examiner withdraw the Final Office Action and reconsider the claims on their merits.

2. The Examiner contends that the PBX disclosed in Chan et al. is an Intelligent Network Node. The Applicants respectfully submit that the term "Intelligent Network Node" as used throughout the specification and claims is a term of art. As noted in the specification, the Intelligent Network Node of the claims has both bearer and signaling connections to the switches of the telephone network, and it is this meaning of "Intelligent Network Node" that the Applicants intended.

The specification notes that one type of Intelligent Network Node is an SCP, or Service Control Point, which is known to have a signaling connection to the telephone network via the SS7 (Signaling System 7) network. A Service Node has both a signaling connection to the switches of the telephone network, via SS7, and a bearer connection for circuit-switched voice streams, for example. This Service Node is the Intelligent Network Node of the claims.

The Examiner is assigning an ordinary meaning to the adjective “intelligent,” interpreting it the way one might in the phrase “intelligent terminal,” where a terminal device connected to a computer network provides additional features to the user by virtue of additional local processing power. Clearly, this is not the meaning of the term “intelligent” that the Applicants intended.

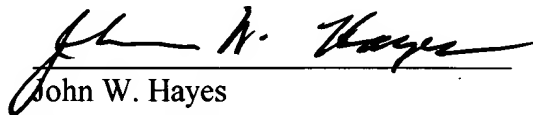
A PBX, such as the PBX illustrated in Chan et al., communicates directly with a Central Office switch over bearer trunks, such as trunks 46a and 46b illustrated in FIG. 1 of Chan et al. It is intended in the architecture of the PSTN (Public Switched Telephone Network) that a PBX have only a bearer connection to the Central Office switch that serves it, just as indicated in FIG. 1 of Chan et al. The Chan et al. reference does not suggest otherwise.

Consequently, the Applicants respectfully submit that Chan et al. fails to disclose, or even to suggest, the Intelligent Network Node of the claims, and thus Applicants’ claims are allowable over Chan et al.

3. Regarding the Examiner’s contention that Chan et al. discloses an alternative method in which music is filtered from the subject time slot, the Applicants wish to point out that the only mention of filtering in Chan et al. can be found at column 7, lines 18-20, which reads in pertinent part: “Music suppression can be performed by filtering out the music energy from the subject time slot while leaving the time slot as part of the list of active time slots.” It is well-settled that the disclosure in an anticipating reference must provide an enabling disclosure of the desired subject matter; mere naming or description of the subject matter is insufficient. Since the Chan et al. reference fails to provide an enabling description of the filtering operations associated with at least claims 1 and 23, the Applicants respectfully submit that a rejection of these limitations based upon Chan et al. is not a proper rejection under 35 U.S.C. § 102, and therefore

claims 1 and 23 are allowable over Chan et al. for this additional reason. Since the remaining claims pending in the instant application depend ultimately from claims 1 and 23, the Applicants respectfully submit that claims 1, 4-14, 23 and 25-34 have been shown to be patentably distinguishable over the prior art of record, and are thus in condition for allowance. Allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call Applicants' attorney.

Respectfully submitted,

  
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Dated: October 17, 2005

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